## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE AT GREENEVILLE

THOMAS R. COPE III and TOMMY TIRE, INC.,	)	
Plaintiffs,	)	
v.	)	No. 2:11-CV-246
JAMES C. JUSTICE COMPANIES, INC.,	)	
HARLAN DEVELOPMENT CORPORATION,	)	
HARLAN DEVELOPMENT CORPORATION,	)	
A Division of Blue Stone Energy West Virginia,	)	
	)	
Defendants.	)	

## UTLIZATION OF MEDIATION REPORT

COMES NOW the defendants, by and through undersigned counsel, and report to the Court that mediation occurred between the parties in front of Bill Wray, licensed mediator, and that a settlement **could not** be reached. The parties otherwise now plan to abide by the Scheduling Order previously issued by the Court in readying this matter for trial.

Respectfully Submitted,

JAMES C. JUSTICE COMPANIES, INC, HARLAN DEVELOPMENT CORPORATION, and HARLAN DEVELOPMENT CORPORATION

By: \_/s/ J. Matthew Bolton\_ J. MATTHEW BOLTON (TN BPR # 025276) Attorney for Defendants HERNDON, COLEMAN, BRADING & MCKEE, LLP P.O. Box 1160 Johnson City, TN 37604-1160 (423) 434-4700

## **CERTIFICATE OF SERVICE**

I hereby certify that on August 27, 2014, a copy of the foregoing Utilization of Mediation Report was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

<u>/s/ J. Matthew Bolton</u>

J. MATTHEW BOLTON